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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FOURTH APPELLATE DISTRICT

DIVISION THREE

THE PEOPLE ex rel. THE  
DEPARTMENT OF  
TRANSPORTATION,

Plaintiff and Respondent,

v.

HO S. AHN,

Defendant and Appellant.

G043116

(Super. Ct. No. 06CC04412)

ORDER MODIFYING OPINION  
AND DENYING REHEARING;  
NO CHANGE IN JUDGMENT

It is ordered that the opinion filed herein on October 15, 2010, be modified as follows:

1. On page 7, after DISPOSITION, delete second sentence that reads “Plaintiff shall recover its costs on appeal” and insert the following sentence in its place:

In the interest of justice, the parties shall bear their own costs on appeal.

This modification does not change the judgment.

Appellant's petition for rehearing is DENIED.

RYLAARSDAM, ACTING P. J.

WE CONCUR:

BEDSWORTH, J.

MOORE, J.